

**UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA**

U.S.A. vs. Darrel Demetrius Whitehead

Docket No. 5:19-CR-323-1FL

Petition for Action on Conditions of Pretrial Release

COMES NOW Jessica A. Brocz, U.S. Probation Officer of the court, presenting an official report upon the conduct of defendant, Darrel Demetrius Whitehead, who was placed under pretrial release supervision by the Honorable Kimberly A. Swank, U.S. Magistrate Judge, sitting in the Court at Greenville, on the 7th day of October, 2020.

On June 15, 2020, a Violation Report was submitted advising that the defendant tested positive for cocaine. The defendant was verbally reprimanded, counseled about his actions, referred to outpatient substance abuse treatment, and increased the amount of drug testing. The court agreed to continue supervision.

On August 20, 2020, a Petition for Action was submitted advising that the defendant tested positive for cocaine August 19, 2020. The defendant was ordered to adhere to 60 consecutive days of curfew with electronic monitoring.

On November 22, 2020, the defendant tested positive for cocaine via instant test which was confirmed by laboratory analysis on November 29, 2020. Whitehead readily admitted using the substance, and he signed an admission of drug use form. A Petition for Action was submitted to the court on December 2, 2020, requesting a hearing be scheduled and the court agreed. The hearing was scheduled for December 14, 2020.

An Amended Petition for Action was submitted on December 8, 2020, advising that the defendant tested positive for cocaine on December 5, 2020.

A hearing was held on December 14, 2020, and the defendant admitted the violations contained in the Petition for Action. Whitehead was continued under previously imposed conditions and ordered to be placed on home detention for a period of 60 days with electronic monitoring. The court granted the probation officer 24 hours to activate this defendant on monitoring; same was installed on December 15, 2020. During a home contact on December 15, 2020, the defendant tested positive for cocaine. The defendant admitted use prior to the hearing, signed an admission of drug use form, and the court was notified on December 17, 2020.

On January 20, 2021, a bond review hearing was held, and the court scheduled a subsequent hearing for one week to allow the defendant time to apply for admission into an inpatient substance abuse treatment program.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS
FOLLOWS:**

On January 26, 2021, the defendant reported to Potter's Wheel Ministries located in Mount Olive, North Carolina, for inpatient substance abuse treatment. Due to his temporary change of residence to Mount Olive, North Carolina, it is respectful recommended that his 60 day home detention with electronic monitoring sanction be removed and previously ordered home detention condition be

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suspended until his completion of inpatient treatment at Potter's Wheel Ministries. It is noted that during an office visit following the defendant's court hearing on January 20, 2021, Whitehead tested positive for cocaine. Additionally, during a home inspection on January 24, 2021, the defendant tested positive for cocaine. He admitted using this substance, and he signed an admission of drug use form for both occasions.

PRAYING THAT THE COURT WILL ORDER

1. The previously ordered 60 consecutive day home detention with electronic monitoring condition is hereby stricken.
2. The previously ordered home detention without electronic monitoring condition be suspended until his completion of inpatient treatment at Potter's Wheel Ministries.

Reviewed and approved,

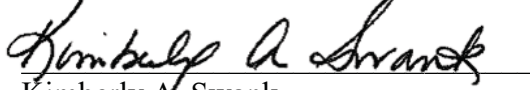
I declare under penalty of perjury that the foregoing is true and correct.

/s/ Dewayne L. Smith
Dewayne L. Smith
Supervising U.S. Probation Officer

/s/ Jessica A. Brocz
Jessica A. Brocz
U.S. Probation Officer
150 Reade Circle
Greenville, NC 27858-1137
Phone: 252-830-2350
Executed On: January 26, 2021

ORDER OF THE COURT

Considered and ordered the 26th day of January, 2021, and ordered filed and made part of the records in the above case.



Kimberly A. Swank
U.S. Magistrate Judge